

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION-DETROIT**

**IN RE:  
CHARLES SHIVER,**

**Debtor.**

**Case No. 08-51248-MBM  
Honorable Marci B. McIvor  
Chapter 13**

**ORDER CONFIRMING PLAN AND MODIFYING STAY AS TO FORD MOTOR CREDIT COMPANY AND SETTING  
ASIDE CHAPTER 7 DISCHARGE ENTERED ON AUGUST 26, 2008**

The Debtor's Chapter 13 plan was duly served on all parties in interest. A hearing on confirmation of the plan was held after due notice to parties in interest. Objections, if any, have been resolved. The Court hereby finds that each of the requirements for confirmation of a Chapter 13 plan pursuant to 11 U.S.C. §1325(a) are met.

Therefore, IT IS HEREBY ORDERED that the Debtor's Chapter 13 plan, as last modified, if at all, is confirmed.

IT IS FURTHER ORDERED that the claim of attorney for the Debtor, for the allowance of compensation and reimbursement of expenses is allowed in the total amount of \$FEE APPLICATION in fees and \$FEE APPLICATION in expenses, and that the portion of such claim which has not already been paid, to-wit: \$FEE APPLICATION shall be paid by the Trustee as an administrative expense of this case.

IT IS FURTHER ORDERED that the Debtor shall maintain all policies of insurance on all property of the Debtor and this estate as required by law and contract.

All filed claims to which an objection has not been filed are deemed allowed pursuant to 11 U.S.C. §502(a), and the Trustee is therefore ORDERED to make distributions on these claims pursuant to the terms of the Chapter 13 plan, as well as all fees due the Clerk pursuant to statute.

IT IS FURTHER ORDERED as follows: [*Only provisions checked below apply*]

X The Chapter 13 Trustee shall not make any disbursements to Chelsea State Bank for the mortgage on property located at 548 N. Main Street Chelsea, MI 48118.

X The Chapter 13 Trustee shall not make any disbursements to Washtenaw County Treasurer for claims on property located at 548 N. Main Street Chelsea, MI 48118.

X The automatic stay pursuant to 11 U.S.C. §362 shall be lifted upon lease termination, December 13, 2009, as to Ford Motor Credit as to the leased 2008 Ford F150. Said lease shall be assumed and Ford shall not be required to file an amended Proof of Claim.

X The Chapter 7 discharge entered in this case on August 26, 2008 is hereby set aside.

X Pursuant to this court's ruling in adversary case no. 08-04976, the debts owed to Barbara Hooberman and Gary Rogow shall not be dischargeable in the Chapter 13 Bankruptcy case.

X The Debtor shall remit 100% of all tax refunds to which Debtor is entitled during the pendency of the Plan and shall not alter withholdings without Court approval. The Internal Revenue Service is ordered to direct to the Chapter 13 Trustee the requisite refund to which the Debtor(s) become(s) entitled during the pendency of this Chapter 13 proceeding.

APPROVED:

OBJECTIONS WITHDRAWN:

APPROVED:

/s/ David Wm. Ruskin  
DAVID WM. RUSKIN (P26803)  
CHAPTER 13 TRUSTEE  
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/s/ Michael P. Hogan (P63074)  
Creditor: Ford Motor Credit

/s/ Melissa D. Francis, Esq.  
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Signed on June 10, 2009

\_\_\_\_\_/s/ Marci B. McIvor\_\_\_\_  
Marci B. McIvor  
United States Bankruptcy Judge